

REMARKS

Applicants' remarks below are preceded by quotation of related comments of the examiner, in small, boldface type.

2. Claim 99 recites the limitation "another radio network controller". There is insufficient antecedent basis for this limitation in the claim. There is no mention of a first radio network controller.

Claim 99 has been amended.

22. Claims 67-76, 78-89, 91-107, 109-114, 116-118, 120-125 and 128, rejected under 35 U.S.C. 102(e) as being anticipated by Madour.

23. Regarding claims 67-72, 74-76, 78, 79, 80-85, 87-89 and 91-98, Madour teaches (fig. 1) a method comprising: simultaneously enabling a radio node (14) to serve both a first dormant access terminal (11) and a second dormant access terminal (12), the first access terminal (11) having a session with a first RNC (18) and a second access terminal (12) having a session with a second RNC (19), the RN (14) being interconnected with the RNCs (18 and 19) using a packet network (IP) (cols. 1-2).

25. Regarding claims 99-104, 106, 107, 109-114, 117, 118, 120, 121, 123-125 and 128, Madour teaches (fig. 1) a method comprising: at a RN (14) in communication with a first RNC (18) and a second RNC (19) through a packet network (17) that enables many-to-many communication, routing access channel packets received from an access terminal (11) to a selected one of either the first or second RNC (18, 19) by determining an IP address of a serving RNC (cols. 1-2).

The applicant disagrees. Referring to FIG. 1, Madour's packet data network 10 includes radio networks (RNs 14, 15) connected to packet data serving nodes (PDSNs 18-20) over an Internet Protocol network 17. (col. 1, lines 38-40). Madour did not describe and would not have made obvious "the radio node being interconnected with the radio network controllers using a packet network," as recited in independent claim 67. By associating the radio network 14 of Madour with the "radio node" of claim 67, the packet data serving node 18 of Madour with the "first radio network controller" of claim 67, and the packet data serving node 19 of Madour with the "second radio network controller" of claim 67 in the manner suggested by the examiner, the examiner has attributed to each of the terms "radio node" and "radio network controller" of

claim 67 a meaning contrary to what would have been commonly understood by one of ordinary skill in the art. As Madour itself states in col. 1, lines 40-42, "Each radio network includes Base Stations (BSs) and Base Station Controllers (BSCs) (not shown)." One of ordinary skill in the art would have recognized that the term "radio node" corresponds to the term "base station" not "radio network" as the examiner contends, and that the term "radio network controller" corresponds to the term "base station controller" not "packet data serving node" as the examiner contends. No portion of Madour, cited or otherwise, discloses "the radio node being interconnected with the radio network controllers using a packet network" as recited in claim 67.

Independent claims 79, 80, 92, 93 and 96, which have corresponding limitations, and independent claims 99, 102, 113 and 121, which have similar limitations, are patentable for at least similar reasons.

All of the dependent claims are patentable for at least similar reasons as the independent claims from which they depend.

2. Claims 8, 10-27 and 35-66 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hokkanen (WO 98/08353) in view of Madour (US 6834050 B1).

3. Regarding claims 35, 36, 42, 48, 53 and 57-59, Hokkanen teaches (fig. 2) a method comprising: enabling communication among radio network controllers (BSC1, BSC2) and radio nodes (BTS2, BTS4), establishing a first traffic channel between a first access terminal and a first RNC (BSC1) of the network through a first radio node (BST2) when the first access terminal is in the coverage area of the first radio node (BST2); establishing a second traffic channel between a second access terminal and a second RNC (BSC2) of the network through a second radio node (BST4) when the second access terminal is in the coverage area of the second radio node (BST4); and maintaining the first traffic channel between the first access terminal and the first radio network controller (BSC1) without requiring the first traffic channel to pass through another radio network controller when access terminal moves from a coverage area of the first radio node to a coverage area of the second radio node.

4. Hokkanen does not teach many-to-many communications and a packet network.

5. Madour teaches (fig. 2) many-to-many communications and a packet network (IP network). It would have been obvious to one of ordinary skill in the art to adapt to Hokkanen's system Madour's concept of packet routing and many-to-many to enhance the scope of the system ensuring back-up incase of equipment failure.

As the examiner correctly notes, Hokkanen does not disclose "many-to-many communication among radio network controllers and radio nodes through a packet network." Contrary to the examiner's assertion, however, no portion of Madour describes or made obvious

this feature as previously explained. FIG. 2 of Madour depicts a radio-packet network that connects packet core functions (PCFs) 42, 44, 46 to packet data serving nodes (PDSNs) 36, 37, 38, 39. Although the PCFs may be located in the base station controllers (BSCs) (col. 1, lines 42-44), FIG. 2 of Madour and its accompanying text still does not describe and would not have suggested "many-to-many communication among *radio network controllers* and *radio nodes* through a packet network," as recited in claim 35.

All of the dependent claims are patentable for at least the same reasons as the independent claims from which they depend.

13. Regarding claim 50, Hokkanen teaches (fig. 2) a system comprising: RNs (BTS2, BTS4) configured to receive and transmit data to and from access terminals located in the coverage area; RNCs (BSC1, BSC2) configured to receive and transmit data to and from the access terminals through the RNs (BTS2, BTS4); a first traffic channel between a first access terminal and a first RNC (BSC1) of the network through a first radio node (BST2) when the first access terminal is in the coverage area of the first radio node (BST2); a second traffic channel between a second access terminal and a second RNC (BSC2) of the network through a second radio node (BST4) when the second access terminal is in the coverage area of the second radio node (BST4); and the first traffic channel is maintained between the first access terminal and the first radio network controller (BSC1) without requiring the first traffic channel to pass through another radio network controller when access terminal moves from a coverage area of the first radio node to a coverage area of the second radio node.

14. Hokkanen does not teach many-to-many communications and a packet network.

15. Madour teaches (fig. 2) many-to-many communications and a packet network (IP network). It would have been obvious to one of ordinary skill in the art to adapt to Hokkanen's system Madour's concept of packet routing and many-to-many to enhance the scope of the system ensuring back-up in case of equipment failure.

Claim 50 is patentable for at least similar reasons as those given for claim 35.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this

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paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Enclosed is a \$60.00 check for the Petition for Extension of Time fee. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: 2/28/06



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